REMARKS

The Examiner provides a number of rejections and they are listed below in the order in which they are addressed:

I. Claims 1-3, 7-15, 19-20, and 24-30 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,888,511 To Skurkovich *et. al.*.

II. Claims 1-12 and 15-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,888,511 To Skurkovich *et. al.* in view of the '098 patent to Coleman *et. al.*.

I. The Examiner Appears To Have Made A Mistake

In the April 2002 Office Action, the Examiner notes that Claim 7 was amended and Claims 13 and 14 were cancelled. Nonetheless, the Examiner rejected Claims 1-3, 7-15 and 19-20 under 35 U.S.C. § 102(e) as being anticipated by the U.S. Patent No. 5,888,511 to Skurkovich *et. al.* It appears this was a mistake. First, since Claims 13 and 14 were previously cancelled, the rejection of Claims "7-15" cannot be correct. Second, and more substantively, Claim 7 was previously amended to specify a mammal "having symptoms of sepsis" and the Examiner's argument for anticipation of Claim 7 is that the cited art "discloses methods of treating autoimmune diseases." (Office Action, page 2). Applicant contends that sepsis is not regarded by scientists as an autoimmune disease. Indeed, the "shopping list" of autoimmune diseases in column 1 of the '511 patent does not include sepsis. It is believed that the Examiner overlooked the amendment to Claim 7.

Skurkovich *et. al* lacks any teaching for the administration of antibodies to TNF-α, IL-6 or gamma IFN, either singly or in any combination, to mammals for the treatment of sepsis. As such, Claim 7 (as it now stands) and the associated dependent claims cannot be anticipated by Skurkovich *et. al.*. The Applicant now respectfully requests the Examiner to withdraw this rejection and pass Claims 7-12 and 15-18 to allowance.

II. The Remaining Claims Are Cancelled (without prejudice)

Claims 1-12 and 15-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,888,511 To Skurkovich *et. al.* in view of the '098 patent to Coleman *et. al.* The Applicant respectfully disagrees and submits that i) there is no basis for the combination, and ii) even if combined the Coleman *et. al.* reference does not cure the deficiencies of the '511 patent (discussed above with reference to Claim 7). Nonetheless, without waiving these arguments, Claims 1-6 and 19-33 have been cancelled (without prejudice) to further the prosecution of this application, rendering the 103 rejection largely moot.

CONCLUSION

The Applicant believes that the arguments and claim amendments set forth above traverse the Examiner's rejections and, therefore, request that these grounds for rejection be withdrawn for the reasons set above. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, the Applicant encourages the Examiner to call the undersigned collect at 617.252.3353.

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APPENDIX
CLEAN VERSION OF THE ENTIRE SET OF PENDING CLAIMS
PURSUANT TO 37 CFR § 1.121 (c)(3)

7. A method of treatment, comprising:
   a) providing:
      i) a mammal having symptoms of sepsis,
      ii) a therapeutic preparation, comprising anti-TNF-α and anti-IL-6 antibodies; and
      iii) administering said preparation to said mammal wherein said symptoms are reduced.

8. The method of Claim 7, wherein said therapeutic preparation further comprises anti-IFN antibodies.

9. The method of Claim 7, wherein said mammal is a human.

10. The method of Claim 7, wherein said administering is performed intravenously.

11. The method of Claim 7, wherein said administering is performed orally.

12. The method of Claim 7, wherein said administering is performed parenterally.

15. The method of Claim 7, wherein said antibodies are polyclonal antibodies.

16. The method of Claim 15, wherein said polyclonal antibodies are avian antibodies.

17. The method of Claim 16, wherein said avian antibodies are chicken antibodies.

18. The method of Claim 17, wherein said chicken antibodies are derived from chicken eggs.